IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 3309 of 2005

Between:

S. Ismail, M/s. Five Star Slab Polishing Industry
U. Kothapalli, Dhone Mandal, Kurnool District.

..... PETITIONER

AND

1 The Divisional Engineer (Operation) C.P.D.C. of A.P. Ltd. Kurnool.
2 The Superintending Engineer (Option) C.P.D.C. of A.P. Ltd. Kurnool.
3 The Assistant Divisional Engineer (Operation), Dhone, Kurnool District.
4 The A.P. Transco Repn., by Managing Director, Khairathabad, Hyderabad.
5 Assistant Accounts Officer, E.R.O., Dhone.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ, order or direction more particularly one in the nature of Mandamus declaring the proceedings of the 5th Respondent Lr.No. AAO/ERO/DNC/JAO/II/PAA.No. 848/03, dt. 27-05-03 as illegal arbitrary and against the principles of natural justice

Counsel for the Petitioner:MR.VINAY KAMISETTY

Counsel for the Respondents: MR.M.SRIRAMULU REDDY (SC FOR APTRANSCO)

The Court made the following :

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ORAL ORDER:

Heard the counsel on either side.

As against the order impugned in this writ petition, an appeal under Section 126 of the Indian Electricity Act, lies to the appropriate appellate authority. The petitioner, without availing of such an alternative remedy, approached this court under Art.226 of the Constitution of India, by way of the present writ petition, which is not maintainable.

The writ petition is accordingly dismissed as not maintainable. No order as to costs.

26.4.2005

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To,

1 The Divisional Engineer (Operation) C.P.D.C. of A.P. Ltd. Kurnool.
2 The Superintending Engineer (Option) C.P.D.C. of A.P. Ltd. Kurnool.
3 The Assistant Divisional Engineer (Operation), Dhone, Kurnool District.
4 The A.P. Transco Repn., by Managing Director, Khairathabad, Hyderabad.
5 Assistant Accounts Officer, E.R.O., Dhone.

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